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MCNAIR LAW FIRM PA

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**MCNAIR LAW FIRM, P.A.**  
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GREENVILLE, SOUTH CAROLINA 29603  
TELEPHONE: (864) 232-4261  
FAX: (864) 232-4437**OFFICIAL****FAX COVER LETTER**CONFIDENTIAL & PRIVILEGED  
INFORMATION

Date &amp; Time: March 5, 2004

Transmitted By: Shirley T. Hirsch

ALTERNATE FAX  
NUMBERS (optional):**PLEASE DELIVER AS SOON AS POSSIBLE TO:**

	Recipient	Company	Fax No.	Phone No.
1.	Examiner Virginia M. Kibler	U.S. Patent and Trademark Office	1 (703) 746-9285	1 (703) 306-4072

Total number of pages including cover: 8

From: William D. Lee, Jr.

Client-Matter: 020092.00050

Comments: Dear Ms. Kibler:

Following up on our telephone conversation this afternoon regarding the above-referenced patent application, we are faxing you copies of the transmittal letter, Notice of Non-Compliant Amendment, Amendments to the claims of Amendment D mailed "First Class Mail" to the U.S. Patent and Trademark Office on 1-28-2004 as reflected by the certification of mailing.

Sincerely yours,

William D. Lee, Jr.

McNair Law Firm, P.A.

WDL:sth

Enclosures

The information contained in this facsimile message is confidential, protected by the attorney client privilege and intended for the use of only the individual or entity named above. If the reader of the message or information is not the intended recipient of the message or information transmitted herewith, you are hereby notified that any dissemination, distribution or copying of the message or information is strictly prohibited. If you have received this communication in error, please immediately notify the sender by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

PAGE 1/8 \* RCVD AT 3/5/2004 4:24:51 PM [Eastern Standard Time] \* SVR:USPTO-EFAX-216 \* DNIS:7469285 \* CSID:1 864 232 4437 \* DURATION (mm-ss):02:26

PAGE 1/8 \* RCVD AT 3/15/2004 1:04:30 PM [Eastern Standard Time] \* SVR:USPTO-EFAX-1/2 \* DNIS:8729306 \* CSID:703 308 5397 \* DURATION (mm-ss):01:48

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Elief Villa-Aleman

Serial No.: 09/578,662

Filed: May 25, 2000

For: LED Intense Headband Light Source for  
Fingerprint Analysis

Examiner: Virginia M. Kibler

Group No.: 2623

Old Docket No.: 25057-32

New Docket No.: Westinghouse  
020092.00050 (SRS 99-053)

Commissioner for Patents  
U.S. Patent and Trademark Office  
Attn: Examiner Eric Davis, Legal Instruments Examiner (LIE)  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

## Transmittal Letter

Please find the following correspondence items enclosed for filing in the United States Patent and Trademark Office:

1. Copy of Notice of Non-Compliant Amendment (37 CFR 1.121);
2. Amendments to the claims of Amendment D; and
3. Return receipt postcard.

Respectfully submitted,

*William D. Lee, Jr.*  
William D. Lee, Jr.  
Registration No. 22,660  
McNair Law Firm, P.A.  
P.O. Box 10827  
Greenville, SC 29603-0827  
Telephone: (864) 232-4261  
Attorney for Applicant

I hereby certify that this correspondence is being deposited with the United States Postal Service as "FIRST CLASS MAIL" with sufficient postage affixed thereto, in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Attn: Examiner Eric Davis, Legal Instruments Examiner (LIE), P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

By: *Shirley J. Hirsch*  
Date: *1-28-2004*

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22310-1450  
www.uspto.gov

Paper No.

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 12-12-03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

## THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims).
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: Claims 21-27 should say (N/A) Not Previously Added

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/propnotice/officeletter.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Legal Instruments Examiner (LIE)

703-308-6054  
Telephone No.

Rev. 10/03

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The Stamp of the PTO hereon acknowledges receipt of the following: Transmittal Letter; Copy of Notice of Non-Compliant Amendment (37 CFR 1.21); Amendments to the Claims of Amendment D; and Return receipt postcard.

Re: Elieel Villa-Aleman

Serial No.: 09/578,662

Filed: May 25, 2000

For: LED Intense Headband Light Source for  
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Old Docket No.: 25057-32

New Docket No.: Westinghouse 020092.00050 (SRS 99-053)

Date Mailed: 01/28/2004/WDL/eth

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